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LLS NO. 14-#### Jane Ritter x4342

INTERIM COMMITTEE BILL

**Legislative Oversight Committee for the Continuing Examination of the
Treatment of Persons with Mental Illness Who Are Involved in the
Criminal and Juvenile Justice Systems**

A BILL FOR AN ACT

101 **CONCERNING CONTINUING EXAMINATION OF THE TREATMENT OF**
102 **PERSONS WITH MENTAL ILLNESS WHO ARE INVOLVED IN THE**
103 **JUSTICE SYSTEMS, AND, IN CONNECTION THEREWITH, MAKING**
104 **AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)

**Legislative Oversight Committee for the Continuing
Examination of the Treatment of Persons with Mental Illness Who**

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

Are Involved in the Criminal and Juvenile Justice Systems. The bill extends the repeal date for the legislative oversight committee for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems and associated task force from July 1, 2015, to July 1, 2020. The task force is renamed the "task force on mental illness in the criminal and juvenile justice systems" (task force). Two new members are added to the task force, one from the office of the child's representative and one from the office of the alternate defense counsel.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.9-102, **amend**
3 (2) as follows:

4 **18-1.9-102. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (2) "Task force" means the task force ~~for the continuing~~
7 ~~examination of the treatment of persons with~~ ON mental illness ~~who are~~
8 ~~involved~~ in the criminal and juvenile justice systems established pursuant
9 to section 18-1.9-104.

10 **SECTION 2.** In Colorado Revised Statutes, 18-1.9-103, **amend**
11 (2) (a) and (2) (c) (I) as follows:

12 **18-1.9-103. Legislative oversight committee for the continuing**
13 **examination of the treatment of persons with mental illness who are**
14 **involved in the criminal and juvenile justice systems - creation -**
15 **duties.** (2) **Duties.** (a) ~~The committee shall meet at least once on or~~
16 ~~before August 1, 2004.~~ Beginning in 2005 and continuing each year
17 thereafter, ~~through 2014,~~ the committee shall meet at least three times
18 each year and at such other times as it deems necessary. ~~except that the~~
19 ~~committee shall not meet during the 2010 interim.~~

20 (c) (I) The committee shall submit a report to the general assembly

by January 15, 2005, ~~by each January 15 thereafter through January 15, 2010, and by January 15, 2012,~~ and by each January 15 thereafter. ~~through January 15, 2015.~~ The annual reports ~~shall~~ MUST summarize the issues addressing the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems that have been considered and any recommended legislative proposals.

SECTION 3. In Colorado Revised Statutes, 18-1.9-104, **amend** (1) (a), (1) (c) introductory portion, (1) (c) (IV) introductory portion, (1) (c) (XV), and (3); and **add** (1) (c) (XVII) and (1) (c) (XVIII) as follows:

18-1.9-104. Task force on mental illness in the criminal and juvenile justice systems - creation - membership - duties.

(1) **Creation.** (a) There is hereby created a task force ~~for the continuing examination of the treatment of persons with~~ ON mental illness ~~who are involved~~ in the criminal and juvenile justice systems in Colorado. The task force shall consist of ~~thirty~~ THIRTY-TWO members appointed as provided in paragraphs (b) and (c) of this subsection (1).

(c) The chair and vice-chair of the committee shall appoint ~~twenty-six~~ TWENTY-EIGHT members as follows:

(IV) ~~Six~~ FIVE members who represent the department of human services, as follows:

(XV) One member who represents the department of health care policy and financing; ~~and~~

(XVII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE CHILD'S REPRESENTATIVE; AND

(XVIII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE ALTERNATE DEFENSE COUNSEL.

(3) **Additional duties of the task force.** The task force shall

1 provide guidance and make findings and recommendations to the
2 committee for its development of reports and legislative
3 recommendations for modification of the criminal and juvenile justice
4 systems, with respect to persons with mental illness who are involved in
5 these systems. In addition, the task force shall:

6 (a) On or before August 1, 2004, and by each August 1 thereafter,
7 ~~through August 1, 2013, except during the suspension of the committee~~
8 ~~during the 2010 interim~~, select a chair and a vice-chair from among its
9 members;

10 (b) Meet at least six times each year, ~~from the date of the first~~
11 ~~meeting until January 1, 2015~~, or more often as directed by the chair of
12 the committee; ~~except that the committee shall not meet during the 2010~~
13 ~~interim~~;

14 (c) Communicate with and obtain input from groups throughout
15 the state affected by the issues identified in subsection (2) of this section;

16 (d) Create subcommittees as needed to carry out the duties of the
17 task force. The subcommittees may consist, in part, of persons who are
18 not members of the task force. Such persons may vote on issues before
19 the subcommittee but shall not be entitled to a vote at meetings of the task
20 force.

21 (e) Submit a report to the committee by October 1, 2004, and by
22 each October 1 thereafter, ~~through October 1, 2009, and by October 1,~~
23 ~~2011, and by each October 1 thereafter through October 1, 2014~~, THAT,
24 at a minimum, ~~specifying the following~~ SPECIFIES:

25 (I) Issues to be studied in upcoming task force meetings and a
26 prioritization of those issues;

27 (II) Findings and recommendations regarding issues of prior

1 consideration by the task force;

2 (III) Legislative proposals of the task force that identify the policy
3 issues involved, the agencies responsible for the implementation of the
4 changes, and the funding sources required for ~~such~~ implementation.

5 **SECTION 4.** In Colorado Revised Statutes, 18-1.9-106, **amend**
6 (1) as follows:

7 **18-1.9-106. Cash fund.** (1) All private and public funds received
8 through grants, contributions, and donations pursuant to this article shall
9 be transmitted to the state treasurer, who shall credit the same to the
10 examination of the treatment of persons with mental illness in the
11 criminal justice system cash fund, which fund is hereby created and
12 referred to in this section as the "fund". The moneys in the fund shall be
13 subject to annual appropriation by the general assembly for the direct and
14 indirect costs associated with the implementation of this article. All
15 moneys in the fund not expended for the purpose of this article may be
16 invested by the state treasurer as provided by law. All interest and income
17 derived from the investment and deposit of moneys in the fund shall be
18 credited to the fund. Any unexpended and unencumbered moneys
19 remaining in the fund at the end of a fiscal year shall remain in the fund
20 and shall not be credited or transferred to the general fund or another
21 fund. All unexpended and unencumbered moneys remaining in the fund
22 as of July 1, ~~2015~~ 2020, shall be transferred to the general fund.

23 **SECTION 5.** In Colorado Revised Statutes, **amend** 18-1.9-107
24 as follows:

25 **18-1.9-107. Repeal of article.** This article is repealed, effective
26 July 1, ~~2015~~ 2020.

27 **SECTION 6. Appropriation.** In addition to any other

1 appropriation, there is hereby appropriated, out of any moneys in the
2 general fund not otherwise appropriated, to the department of public
3 safety, for the fiscal year beginning July 1, 2014, the sum of \$500, or so
4 much thereof as may be necessary, for allocation to the division of
5 criminal justice for the task force on mental illness in the criminal and
6 juvenile justice systems for the implementation of this act.

7 **SECTION 7. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.